

Results of samples taken of both sediments and water have been steadily trending downward; is that expected to continue? Have levels reached pre-spill levels all around?

The metal concentrations of the samples are below surface water and sediment/soil recreational screening levels, and are being maintained at pre-event conditions.

Given what's been learned so far, is a significant recurrence of contamination in the water still considered unlikely?

The language in the previous response (red text) came from the EPA statement yesterday:

EPA has reviewed the data which includes comparison to screening levels for exposure during recreational use. The metal concentrations of the samples are below surface water and sediment/soil recreational screening levels, and are being maintained at pre-event conditions. Based on previous monitoring events, it has been shown that metal concentrations may fluctuate from time to time because of water surges due to heavy rains or other events that may change the water flow rates or volume.

However, if he doesn't want to get into potential fluctuations, we could just keep it simple. I've pulled another statement (from page 4 of the cleared media responses). See revised version below:

EPA has reviewed the data which includes comparison to screening levels for exposure during recreational use. The metal concentrations of the samples are below surface water and sediment/soil recreational screening levels, and are being maintained at pre-event conditions. Given that there is no change in the sediment contaminant levels, we don't expect any re-mobilization of Gold King event-related contaminants to pose health risks. [OSRTI thinks it is better to use this response to make it clear that fluctuations are not likely due to the August 5 release.]

-Can also mention:

historical levels due to acid mine drainage and plans for long-term monitoring.

In the EPA's view, is there any reason for irrigation systems along the path of the spill still to be shut down? Does the EPA foresee any future high-water events necessitating the closure of those systems (and/or drinking water intakes)?

It's not uncommon for sediments to move, especially in areas of fast water flow or in times of fast water flow, such as heavy rain events or snow melt. Because the metal concentrations in sediments analyzed after the Gold King Mine release are similar to those before the release, we do not expect the movement of the sediments during high water flow events would result in water or sediment concentrations unusual for this area.

-I think he is trying to get at the Navajo issue. This is the language we used in the press release. Mathy can lean into the fact that levels are being maintained at pre-event conditions and that specifically for the Navajo Nation, EPA's conclusions are based on comparisons of San Juan River water and sediment data to EPA and Navajo EPA standards. **Results consistent with this data set have been utilized by other jurisdictions along the Animas and San Juan Rivers to lift**

use restrictions for irrigation, livestock watering, and recreational purposes. Last night, Navajo Nation President Russell Begaye gave the directive to open the Fruitland Irrigation canal, which delivers water from the San Juan River for irrigation to three Navajo chapters.

Has further progress been made in a long-term solution for Gold King and adjacent mines? Any details on what is being considered beyond the retention ponds now in place would be appreciated.

It's too early to determine the technical solution that will be effective in addressing water flow from the mine. Our short term goal is to stabilize the site and add another mine water treatment system that would be accessible through the winter.

-Mention Mathy is in Durango bc the local communities have invited us to talk about long-term planning. Highlight the partnerships with the locals.

-Mention watershed plan and long-term monitoring plan. [OSRTI agrees that we should mention long-term plans]

It's our understanding that 15 other mine investigations were put on hold to assess whether there were risks of another accident; do those remain on hold? If not, why not? If so, what is expectation on when that assessment will be complete.

We're compiling a list of mining sites under EPA jurisdiction where the Administrator's statement on field investigations would apply.

While we continue to investigate the root causes of last week's release of mining waste at the Gold King Mine in Colorado, we have instructed our Regions to cease any field investigation work at mines including tailings facilities, unless there is imminent risk in a specific case. Based on the outcome of the independent assessment being conducted by the Department of Interior, EPA will determine what actions may be necessary to avoid similar incidents at other sites.

[From OSRTI – based on the internal review and additional analyses, some of those 15 sites may be ready to have work re-started in the near future, once there are assurances that any potential risks have been appropriately addressed.]

Members of Congress have been asking for lots of different documents, ranging from internal communications and prior planning for this site, to communications relating to ongoing investigations and the long-term impacts of the spill. Some of that information already has been released. Are there other items that are being held back pending the investigation by IG, Interior? When are those expected to be released?

EPA takes its commitment to transparency seriously. Since the Gold King Mine incident, EPA has been inundated with requests for documents related to the response. EPA has posted a large number of documents on our response website, many of which are responsive to the requests from stakeholders,

local communities, the media, the general public and members of Congress. EPA is continuing to identify additional documents responsive to the request and will provide them to the committee, as soon as they are available.

Do you expect to be addressing broader issue abandoned mines at the hearing? Wondering if there are any opportunities seen there.

Beyond abandoned mines, there have already been attempts to link this accident to other matters before the EPA, from the Clean Power Plan to the waters of the US rule; can you comment on whether there's any relation to those and the Gold King spill?

-As the head of EPA's office which leads emergency response and long-term clean up efforts, my focus is on the Gold King Mine response and our commitment to the impacted communities. [OSRTI thoughts: do you want to add a little more about our long-term work not only in this mining system but other mining systems.]